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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Elton Gallegly
House of Representatives
107 Cannon House Office Building
Washington, DC 20515-0521

92-9

Dear Congressman Gallegly:

Thank you for your letter expressing concern that the Commission's proposals to allocate spectrum for emerging technologies would adversely impact the communications of the Metropolitan Water District of Southern California.

On January 16, 1992, the Commission adopted a Notice of Proposed Rule Making (Notice) in ET Docket No. 92-9 that proposes allocating 220 MHz of 2 GHz spectrum for use by providers of emerging technologies. With regard to licensees currently using portions of this spectrum, the Commission proposed to permit state and local government licensees such as the Metropolitan Water District of Southern California to continue indefinitely their current operations on a primary basis.

We are taking several actions to ensure that the concerns of all the existing users are fully addressed. For example, recently the Commission announced that it would permit existing users of the 2 GHz band to modify or expand their systems in a wide variety of ways without being considered secondary to the outcome of the emerging technologies proceeding. This new policy is important to incumbent users, because it permits them to continue to meet their communications needs by making necessary modifications to their microwave systems and removes the possibility that their modifications could be nullified by Commission action in the emerging technologies proceeding. To further facilitate accommodation of the competing demands for this spectrum, the Commission also proposed to permit negotiation of financial arrangements between existing licensees and parties proposing new services. Such an approach would facilitate access to this spectrum for services employing emerging technologies.

Additionally, in order to permit the fullest possible public comment on the issues raised by the emerging technologies proposal, including any financial or operational impact upon public utilities, the Commission extended the comment cycle in the proceeding by 45 days. June 8 is the initial comment deadline, and July 8 is the deadline for reply comments. We look forward to the comments filed in the proceeding, and will welcome

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particularly any additional proposals that might accommodate the competing demands for this important spectrum. Specifically, further notices of proposed rule making will be issued if necessary to address significant technical or operational issues raised in this docket or by authorized personal communications service (PCS) experiments.

These provisions are intended to prevent disruption to the communications of the existing licensees, yet still provide the spectrum needed by U.S. companies to develop new and innovative telecommunications products and services and bolster U.S. competitiveness in world telecommunications markets. An example of one such new proposed service is the above-mentioned PCS, which the Commission is addressing concurrently in GEN Docket No. 90-314.

The needs of the existing 2 GHz users are of importance to the Commission, and are being taken carefully into consideration. Please be assured that your concerns will be taken into account before a final determination is made in this matter, and for that purpose, I am making your letters part of the record in the two dockets discussed above, ET Docket No. 92-9 and GEN Docket No. 90-314.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alfred C. Sikes', with a stylized flourish at the end.

Alfred C. Sikes
Chairman

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Congress of the United States

House of Representatives
Washington, DC 20515-0521

May 20, 1992

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Mr. Alfred Sikes
Chairman
Federal Communications Commission
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Washington, D.C. 20554

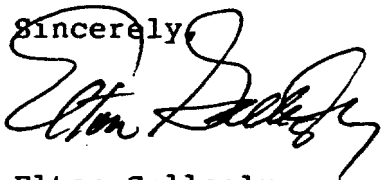
Dear Chairman Sikes:

I understand that the Federal Communications Commission has proposed the removal of a communications microwave frequency used by the Metropolitan Water District of Southern California in its operation of the Colorado River Aqueduct.

This action could cost the residents of my district, and other Southern Californians, \$1.5 million to replace the frequency. In addition, Metropolitan Water District has spent substantial sums to acquire the communications network necessary to effectively run the aqueduct, which stretches 242 miles across the desert and provides a considerable portion of the Southland's drinking water.

I ask that you keep in mind the excessive cost the removal of this frequency would have on the residents of my district and the surrounding areas as you consider this proposal.

I look forward to your response on this matter.

Sincerely,


Elton Gallegly
Member of Congress

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